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EXAMINER
BAINERIDGE, B

ART UNIT	PAPER NUMBER
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UNITED STATES DEPARTMENT OF COMMERCE

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FEB 19 1996

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 18

Application Number: 08/313,988

Filing Date: 9/28/94

Appellant(s): Gordon T. Brown

Walter J. Blenko Jr.

For Appellant

EXAMINER'S ANSWER

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This is in response to appellant's brief on appeal filed November 17, 1997.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

The amendment after final rejection filed on July 22, 1997 has been entered.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

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(7) *Grouping of Claims*

The rejection of claims 2-7, 14-17, and 21-28 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

✓ "Interview with Don Kniffen" TMA Journal, vol. 14, no. 1 (Jan/Feb 1994)
pp. 34-38.

(10) *New Prior Art*

No new prior art has been applied in this examiner's answer.

(11) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

Claims 2-7, 14-17, and, 21-28 are rejected under 35 U.S.C. 103. This rejection is set forth in prior Office action, Paper No. 10.

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(13) Response to argument

(a) Claim Objections and Rejection Under Section 112

Claim 21 had been objected to because of a typographical error which has been corrected through an after final amendment filed July 22, 1997 which has been entered.

Claim 28 had been objected to as being vague and indefinite through the use of the phrase "at about the time." The examiner has reconsidered this rejection and as a result, withdraws this rejection because the term is broad in scope but not vague and indefinite.

Claim 28 was rejected under section 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner has reconsidered this rejection and as a result, withdraws this rejection because the term "standardized codes" is broad in scope but not indefinite.

(b) Claim Rejections Under Section 103

Applicant contends that there is nothing to teach or suggest in the Kniffen reference of generating an accounting statement in a desired format. Kniffen does, in fact, teach of the financial data shared between itself and its customers is used for accounting purposes where it states "Timely updating of financial database files , including accounts receivable, credit, and general ledger" (page 3, lines 6-7). Further, applicant maintains that the Kniffen reference does not teaches of the conception of an automated accounting system. The Kniffen reference clearly teaches of an automated system for sharing financial data related to business

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transactions and of using this data for generating well known accounting reports as disclosed on page 2, line 40 to page 3, line 14, "The major benefits of financial EDI include..."

Applicant argues that Kniffen does not teach of the "payments or data transmitted are categorized, including changes in inventory; the payments reflect only current period transactions without any suggestion that they are coded; there is no indication of handling of user transactions such as credit cards, checks, debit cards, investment accounts, ATM, etc.; there is no suggestion of income tax calculation." The Examiner respectfully points out that none of this is claimed by the applicant.

Applicant states that Kniffen does not teach of "any concept of considering accounting problems before the transaction takes place or after a transaction has taken place" and that because of this Kniffen fails to show any concept of accounting. The Examiner respectfully asserts this feature is not claimed by the Applicant and, by following the logic of the Applicant, if this feature is essential to teaching of any concept of accounting then the Applicants claimed invention cannot either.

Lastly, Applicant asserts that Kniffen does not teach of a system that can be integrated with another such as a credit card system. Again, the Examiner respectfully points out that none of this is claimed by the Applicant.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

BCB

Barton Bainbridge
February 12, 1998

Gail Hayes

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